



# Water Industry (Scotland) Act 2002

## 2002 asp 3

### PART 3

#### SCOTTISH WATER

#### *Charges*

#### **30 Maximum charges for services provided with help of Scottish Water**

- (1) [<sup>F1</sup>A charges scheme must also] fix maximum charges which a person other than Scottish Water may recover from another such person in respect of the supply of water to, the provision of sewerage to, or the disposal of sewage for that other person with the help of services provided by Scottish Water.
- (2) For the purposes of this section, water is supplied to, sewerage provided to, or sewage disposed of for a person with the help of services provided by Scottish Water if—
  - (a) a facility for that person to have access to a supply of water provided by Scottish Water in pipes, or to make use of sewerage which is, or facilities for the disposal of sewage which are, provided by Scottish Water is made available to that person otherwise than by Scottish Water,
  - (b) that person is provided with a supply of water in pipes by a person to whom the water is supplied, directly or indirectly, by Scottish Water, or
  - (c) that person is provided with sewerage, or with facilities for the disposal of sewage, by a person who, for the purposes of providing the sewerage or facilities, makes use of sewerage or of such facilities provided, directly or indirectly, by Scottish Water.
- (3) [<sup>F2</sup>In relation to maximum charges fixed by virtue of subsection (1), the charges scheme] may make different provision in relation to different persons, circumstances or localities and may fix a maximum charge either by specifying the maximum amount of the charge or by specifying a method of calculating that amount.
- (4) Where a person pays a charge in respect of anything to which [<sup>F3</sup>, by virtue of subsection (1), a charges scheme] relates and the amount paid exceeds the maximum charge fixed by the [<sup>F4</sup>scheme], the amount of the excess is recoverable by that person from the person to whom the charge was paid.

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*Changes to legislation: There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 30. (See end of Document for details)*

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### Textual Amendments

- F1** Words in s. 30(1) substituted (1.7.2005) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), **ss. 21(2)(a)**, [37\(2\)](#) (with s. 36); [S.S.I. 2005/351](#), art. 2, sch. 2
- F2** Words in s. 30(3) substituted (1.7.2005) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), **ss. 21(2)(b)**, [37\(2\)](#) (with s. 36); [S.S.I. 2005/351](#), art. 2, sch. 2
- F3** Words in s. 30(4) substituted (1.7.2005) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), **ss. 21(2)(c)(i)**, [37\(2\)](#) (with s. 36); [S.S.I. 2005/351](#), art. 2, sch. 2
- F4** Word in s. 30(4) substituted (1.7.2005) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), **ss. 21(2)(c)(ii)**, [37\(2\)](#) (with s. 36); [S.S.I. 2005/351](#), art. 2, sch. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 30.